

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

BROOKE GARDNER,

Plaintiff,

v.

NANCY A. BERRYHILL,  
ACTING COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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CASE NO. 1:18CV0096

JUDGE BENITA Y. PEARSON

**MEMORANDUM OF OPINION**  
**AND ORDER**

An Administrative Law Judge (“ALJ”) denied Plaintiff Brooke Gardner’s application for disability insurance benefits (“DIB”) after a hearing in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ’s decision. The claimant sought judicial review of the Commissioner’s decision, and the Court referred the case to Magistrate Judge Kathleen B. Burke for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#). On January 2, 2019, the magistrate judge submitted a Report and Recommendation ([ECF No. 14](#)) recommending that the Court affirm the Commissioner’s decision.

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[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service.<sup>1</sup> On February 4, 2019, Plaintiff filed a Response to the Report and Recommendation ([ECF No. 17](#)), stating that Plaintiff will not be filing objections. Furthermore, the Commissioner has not filed any objections, evidencing satisfaction with the magistrate judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. [Thomas v. Arn](#), 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); [Howard v. Secretary of Health and Human Services](#), 932 F.2d 505 (6th Cir. 1991); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report and Recommendation of the magistrate judge is hereby adopted. The decision of the Commissioner of Social Security is affirmed. Judgment will be entered in favor of Defendant.

IT IS SO ORDERED.

February 7, 2019  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge

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<sup>1</sup> On December 26, 2018, this matter was stayed due to the lapse of congressional appropriations funding the federal government. See [General Order 2018-15](#). The stay was thereafter extended pursuant to [General Order 2019-1](#). On January 25, 2019, the stay expired when the federal government reopened for three weeks.